



DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

Proposed Agency Information Collection Activities; Comment Request

[Docket No. FRA 2014-0011-N-9]

AGENCY: Federal Railroad Administration (FRA), Department of Transportation (DOT).

ACTION: Notice.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995 and its implementing regulations, the Federal Railroad Administration (FRA) hereby announces that it is seeking renewal of the following currently approved information collection activities. Before submitting these information collection requirements for clearance by the Office of Management and Budget (OMB), FRA is soliciting public comment on specific aspects of the activities identified below.

DATES: Comments must be received no later than **[INSERT DATE 60 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER]**.

ADDRESSES: Submit written comments on any or all of the following proposed activities by mail to either: Ms. Janet Wylie, Office of Information Technology, RAD-20, Federal Railroad Administration, 1200 New Jersey Ave., S.E., Mail Stop 35, Washington, D.C. 20590, or Ms. Kimberly Toone, Office of Information Technology, RAD-20, Federal Railroad Administration, 1200 New Jersey Ave., S.E., Mail Stop 35, Washington, D.C. 20590. Commenters requesting FRA to acknowledge receipt of their respective comments must include a self-addressed stamped postcard stating, "Comments on OMB control number 2130-0578." Alternatively, comments may be transmitted via facsimile to (202) 493-6170, or via e-mail to Ms. Wylie at

janet.wylie@dot.gov, or to Ms. Toone at kim.toone@dot.gov. Please refer to the assigned OMB control number in any correspondence submitted. FRA will summarize comments received in response to this notice in a subsequent notice and include them in its information collection submission to OMB for approval.

FOR FURTHER INFORMATION CONTACT: Ms. Janet Wylie, Office of Information Technology, RAD-20, Federal Railroad Administration, 1200 New Jersey Ave., S.E., Mail Stop 35, Washington, D.C. 20590 (telephone: (202) 493-6292) or Ms. Kimberly Toone, Office of Information Technology, RAD-20, Federal Railroad Administration, 1200 New Jersey Ave., S.E., Mail Stop 35, Washington, D.C. 20590 (telephone: (202) 493-6132). (These telephone numbers are not toll-free.)

SUPPLEMENTARY INFORMATION: The Paperwork Reduction Act of 1995 (PRA), Public Law 104-13, 2, 109 Stat. 163 (1995) (codified as revised at 44 U.S.C. 3501-3520), and its implementing regulations, 5 CFR part 1320, require Federal agencies to provide 60-days notice to the public for comment on information collection activities before seeking approval for reinstatement or renewal by OMB. 44 U.S.C. 3506(c)(2)(A); 5 CFR 1320.8(d)(1), 1320.10(e)(1), 1320.12(a). Specifically, FRA invites interested respondents to comment on the following summary of proposed information collection activities regarding (i) whether the information collection activities are necessary for FRA to properly execute its functions, including whether the activities will have practical utility; (ii) the accuracy of FRA's estimates of the burden of the information collection activities, including the validity of the methodology and assumptions used to determine the estimates; (iii) ways for FRA to enhance the quality, utility, and clarity of the information being collected; and (iv) ways for FRA to minimize the burden of information collection activities on the public by automated, electronic, mechanical, or other

technological collection techniques or other forms of information technology (e.g., permitting electronic submission of responses). See 44 U.S.C. 3506(c)(2)(A)(I)-(iv); 5 CFR 1320.8(d)(1)(I)-(iv). FRA believes that soliciting public comment will promote its efforts to reduce the administrative and paperwork burdens associated with the collection of information mandated by Federal regulations. In summary, FRA reasons that comments received will advance three objectives: (i) reduce reporting burdens; (ii) ensure that it organizes information collection requirements in a “user friendly” format to improve the use of such information; and (iii) accurately assess the resources expended to retrieve and produce information requested. See 44 U.S.C. 3501.

Below is a brief summary of the information collection activities that FRA will submit for clearance by OMB as required under the PRA:

Title: Capital Grants for Rail Line Relocation and Improvement Projects

OMB Control Number: 2130-0578

Status: Regular Review

Type of Request: Extension without change of a previously approved collection

Abstract: Much of the economic growth of the United States can be linked directly to the expansion of rail service. As the nation moved westward, railroads expanded to provide transportation services to growing communities. No event better illustrates this point than “golden spike” ceremonies at Promontory Point, Utah, in 1869 that ushered in transcontinental rail service. Travel times between the Atlantic and Pacific coasts were dramatically reduced, opening numerous new markets for both passenger and freight operations. Municipalities throughout the country knew that their economic success rested on being served by the railroad, and many offered incentives for the chance to be served. As a result, many communities’ land

use patterns developed around the railroad lines that became an economic artery as important as “Main Street.” By 1916, rail expansion peaked as miles of road owned reached 254,251.

Soon after the end of the Second World War, the railroads’ competitors – the auto, truck, air plane, pipeline, and modern barge – proved technologically superior to the railroads in responding to the growing demands for speed, convenience, and service quality that characterized the evolving economy of the 20th century. Mired in stifling economic over-regulation, railroads were unable to respond effectively to the challenges facing them. These changes had a dramatic effect on rail’s market share. From nearly 80 percent of the intercity freight market in the early 1920s, rail share fell to less than 37 percent in 1975. The decline was even more dramatic with regard to passenger service. The industry responded by cutting excess capacity. By 1975, miles of road owned had fallen to 199,126 – a 22 percent decline from 1916. The most current data (2004) shows a further decline to 140,806 – 45 percent fewer miles than was available in 1916.

By the early years of the 21st century, the rail industry had made a significant turn around. Beginning with rate deregulation ushered in by the Staggers’ Act of 1980 and including a number of other favorable changes, railroads have introduced innovative services, incorporated modern pricing practices, become profitable, and recaptured market share. Between 1985 and 2004, revenue ton-miles nearly doubled from 876.9 billion to 1.7 trillion. Rail’s market share of intercity revenue freight is approaching 45 percent. This growth is being accommodated on a system that shrunk in response to conditions noted above. The smaller physical plant is handling greater and greater freight volumes. The clearest evidence of more intense use of the industry’s plant is found in “traffic density.” “Traffic density” is the millions of revenue ton-miles per owned mile of road. In 1985, this indicia stood at 6.02. By 2004, this figure had nearly tripled

to 17.02 millions of revenue ton-miles per mile of road owned. This more intense use of rail infrastructure is especially challenging in communities that developed adjacent to or around rail lines, most built over a century ago on alignments appropriate to the times.

As a result, in many places throughout the country, the rail infrastructure that was once so critical to communities now presents problems as well as benefits. For example, the tracks that run down the middle of towns separate the communities on either side. Rail yard and tracks occupy valuable real estate. Trains parked in sidings may present attractive nuisances to children and vandals, and, in the case of tank cars containing hazardous materials, may present serious security or health risks. Grade crossings may present safety risks to the cars and pedestrians that must cross the tracks. These same crossings create inconveniences when long trains block crossings for extended periods of time and sound horns as they operate through crossings in neighborhoods. In some cases, trains operate over lines at speeds that are suited for the type of track but often present safety concerns to those in the surrounding community. In some cases, rail lines have become so congested that communities experience what they perceive as almost continuous train traffic. In short, rail lines, which once brought economic prosperity and social cohesion, are now sometimes viewed as factors in the decline of both.

In many cases, however, these same communities rely heavily on rail traffic. Local industries must be served and passengers, both long distance riders and daily commuters, need convenient access to population and employment centers. Thus, the presence of the railroad is not the problem. Instead, the physical location of the tracks creates tension between the need for the railroad and the problems the physical infrastructure of the railroad creates.

In an effort to satisfy all constituents, State and local governments are looking for ways to eliminate the problems created by the increased demand on the infrastructure while still

maintaining the benefits the railroad provides. Many times, the solution is merely to relocate the track in question to an area that is better suited for it. For example, a recently completed relocation project in Greenwood, Mississippi, eliminated twelve at-grade highway-rail crossings, which greatly improved safety for motorists and eliminated blocked crossings. With that success in mind, Mississippi is currently looking to relocate two main lines that run through the heart of the Central Business District in Tupelo. Combined, these two lines cross 26 highways in the city, and all but one are at-grade crossings. One of the options the State is considering is laterally relocating the lines outside of the business district.

In some situations, vertical relocation may be the best solution. For example, Nevada has undertaken the Reno Transportation Rail Access Project (ReTRAC), the purpose of which is to “sink” 33 feet below the ground in a trench the approximately 2.25 mile segment of track that runs through Reno. Both the Union Pacific Railroad Company (UP) and Amtrak operate over this line. The project will allow for the closing of 11 grade crossings, and will generally improve both highway efficiency and highway safety, as well as the safety and efficiency of the trains that operate through Reno. Many of these relocation projects, like the ReTRAC project, are expensive, and State and local governments lack the resources to undertake them.

In addition to relocation projects, many communities are eager to improve existing rail infrastructure in an effort to mitigate the negative effects of rail traffic on safety in general, motor vehicle traffic flow, economic development, or the overall quality of life of the community. For example, in an effort to improve train speed and reduce the risk of derailments, rail lines that were built a century ago with sharp curves can be straightened. Furthermore, significant efficiencies can be gained and safety enhanced by, as examples, extending passing tracks and yard lead tracks, and adding track circuits and signal spacing changes.

On August 10, 2005, President George W. Bush signed SAFETEA-LU (Public Law 109-59) into law. Section 9002 of SAFETEA-LU amended chapter 201 of Title 49 of the United States Code by adding new section 20154, which establishes the basic elements of a funding program for capital grants for rail relocation and improvement projects. Subsection (b) of the new section 20154 mandates that the Secretary of Transportation issue “temporary regulations” to implement the capital grants program and then issue final regulations by October 1, 2006.

In FY 2008, Congress appropriated \$20,145,000 for the Program, reduced by rescission to \$20,040,200. Of this sum, \$14,905,000 was available for discretionary (competitive) grants. After evaluating and scoring 37 applications, FRA awarded \$14,315,300 to seven different projects, leaving \$589,700. In FY 2009, Congress appropriated \$25,000,000 and directed that \$17,100,000 be awarded to 23 specific projects, with \$7,900,000 left over for discretionary grants. Subsequently, in FY 2010, Congress appropriated \$34,532,000 for the Program, and directed that \$24,519,200 go to 27 specifically enumerated projects. FRA combined the remaining \$10,012,800 with the \$589,700 that was not awarded from the FY 2008 competition, \$2,000,000 that was awarded to one of the FY 2008 projects but which the project sponsors ultimately turned down, and the \$7,900,000 in FY 2009 discretionary funding for a total of \$20,502,500. These funds were the subject of a Notice of Funding Availability that FRA published in the Federal Register on September 10, 2010. The application period closed on October 29, 2010.

Form Number(s): Progress Report, Federally-owned Property Report, SF-269, SF-271, SF-270, DOT F 200.1,

Affected Public: State and local governments, government sponsored authorities and corporations, railroads

Frequency of Submission: On occasion; record keeping

Total Estimated Responses: 121

Total Estimated Annual Burden: 26,083 hours

Pursuant to 44 U.S.C. 3507(a) and 5 CFR 1320.5(b) and 1320.8(b)(3)(vi), FRA informs all interested parties that it may not conduct or sponsor, and a respondent is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

Authority: 44 U.S.C. 3501-3520.

Rebecca Pennington,
Chief Financial Officer.